



April 3, 2001

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## ENGROSSED HOUSE BILL No. 1510

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DIGEST OF HB 1510 (Updated April 2, 2001 11:23 AM - DI 102)

**Citations Affected:** IC 3-7.

**Synopsis:** Voter registration. Requires the Indiana election division to make voter registration forms available on the Internet website maintained by the division so that the forms can be downloaded. Requires the state department of health and the department of correction to make certain information concerning deceased voters and incarcerated individuals available to the election division electronically. Repeals obsolete sections of the voter registration statutes.

**Effective:** July 1, 2001.

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**Stilwell, Mahern, Richardson,  
Thompson**

(SENATE SPONSORS — LANDSKE, SIPES)

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January 17, 2001, read first time and referred to Committee on Elections and Apportionment.

February 21, 2001, amended, reported — Do Pass.

February 26, 2001, read second time, ordered engrossed.

February 27, 2001, engrossed. Read third time, passed. Yeas 94, nays 0.

SENATE ACTION

March 5, 2001, read first time and referred to Committee on Legislative Apportionment and Elections.

April 2, 2001, amended, reported favorably — Do Pass.

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EH 1510—LS 7933/DI 75+



April 3, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## ENGROSSED HOUSE BILL No. 1510

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A BILL FOR AN ACT to amend the Indiana Code concerning elections.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 3-7-31-1 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2001]: Sec. 1. **(a)** The commission shall  
3 prescribe the forms required or permitted under NVRA or this article.  
4 **(b) The election division shall make the forms available on the**  
5 **website maintained by the election division. A form must be made**  
6 **available so that an individual can download the form for**  
7 **completion.**  
8 SECTION 2. IC 3-7-45-2 IS AMENDED TO READ AS FOLLOWS  
9 [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) Not later than:  
10 (1) January 31;  
11 (2) April 30;  
12 (3) July 31; and  
13 (4) October 31;  
14 of each year the state department of health ~~each county health officer;~~  
15 ~~and each municipal health officer~~ shall submit a report to the ~~circuit~~  
16 ~~court clerk or board of registration of the county.~~ **election division**  
17 **electronically in a format prescribed by the commission.**

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(b) The state department of health shall report to ~~each the election division~~, by county, the names, ages, and known residence addresses of all persons who:

- (1) died within Indiana but outside of the county during the preceding three (3) months; and
- (2) maintained a residence address within the county during the two (2) years preceding the date of death.

(c) Each county health officer and municipal health officer shall report **to the state department of health** the names, ages, and known voting addresses in the county of all persons:

- (1) who have died within the jurisdiction of the officer; or
- (2) for whom burial permits have been issued by the officer; during the previous three (3) months. **The state department of health shall report this information to the election division.**

(d) The state department of health shall report to ~~each the election division~~, by county, the names, ages, and known residence addresses of all persons:

- (1) who died outside Indiana during the preceding three (3) months;
- (2) who maintained a residence address within the county during the two (2) years preceding the date of death; and
- (3) whose name was supplied to the state department of health under an agreement made under section 5 of this chapter.

SECTION 3. IC 3-7-45-8 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2001]: **Sec. 8. The NVRA official shall notify the circuit court clerk or board of registration of each respective county of the names of deceased persons obtained under this chapter.**

SECTION 4. IC 3-7-46-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. **(a)** Not later than the second Tuesday of each month, the department of correction shall provide the NVRA official with a list identifying each person who:

- (1) is a resident of Indiana;
- (2) has been convicted of a crime; and
- (3) has been placed in a department of correction facility during the previous month.

**(b) The department of correction shall provide the information required by this section electronically in a format prescribed by the commission.**

SECTION 5. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2001]: IC 3-7-22-7; IC 3-7-31-6.



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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1510, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 3-5-2-50.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 50.1. **"Voter identification number" refers to any of the following numbers chosen by a voter:**

- (1) **The last four (4) digits of the voter's Social Security number.**
- (2) **The voter's driver's license number issued under IC 9-24-11.**
- (3) **The voter's identification card number issued under IC 9-24-16.**

SECTION 2. IC 3-7-26-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. The circuit court clerk or board of registration shall provide the following information in a format prescribed by the commission for each voter who is registered in the county:

- (1) Name.
- (2) Address, in the form of:
  - (A) a physical address, in a city or town where a street address is insufficient to provide United States Postal Service delivery; and
  - (B) a mailing address, as recognized by the local United States Postal Service office, including city or town, state, and zip code;
 in separate data fields, according to commission formatting standards.
- (3) Date of birth.
- (4) Township.
- (5) Ward, if applicable.
- (6) Precinct.
- (7) State senate district and house of representatives district.
- (8) Congressional district.
- (9) Gender.
- (10) Telephone number, if available.
- (11) Voting history for the previous ten (10) year period if available.
- (12) A unique field established for each registered voter, so that

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future submissions may be linked and cross-referenced with previous data submitted by the county.

(13) Date of registration.

**(14) Voter identification number.**

SECTION 3. IC 3-7-31-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. **(a)** The commission shall prescribe the forms required or permitted under NVRA or this article.

**(b) The election division shall make the forms available on the website maintained by the election division. A form must be made available so that an individual can download the form for completion."**

Delete pages 2 through 10.

Page 11, delete lines 1 through 21.

Page 11, line 30, delete "require the applicant to provide the last four (4)"

Page 11, line 31, delete "digits of the applicant's".

Page 11, line 31, strike "Social Security".

Page 11, line 31, after "Security" insert **"require the applicant to provide the applicant's voter identification"**.

Page 11, delete lines 34 through 42, begin a new paragraph and insert:

"SECTION 4. IC 3-7-45-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) Not later than:

(1) January 31;

(2) April 30;

(3) July 31; and

(4) October 31;

of each year the state department of health ~~each county health officer, and each municipal health officer~~ shall submit a report to the ~~circuit court clerk or board of registration of the county.~~ **election division electronically in a format prescribed by the commission.**

(b) The state department of health shall report to ~~each the election division, by~~ county, the names, ages, and known residence addresses of all persons who:

(1) died within Indiana but outside of the county during the preceding three (3) months; and

(2) maintained a residence address within the county during the two (2) years preceding the date of death.

(c) Each county health officer and municipal health officer shall report **to the state department of health** the names, ages, and known voting addresses in the county of all persons:

(1) who have died within the jurisdiction of the officer; or



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(2) for whom burial permits have been issued by the officer; during the previous three (3) months. **The state department of health shall report this information to the election division.**

(d) The state department of health shall report to ~~each~~ **the election division, by** county, the names, ages, and known residence addresses of all persons:

- (1) who died outside Indiana during the preceding three (3) months;
- (2) who maintained a residence address within the county during the two (2) years preceding the date of death; and
- (3) whose name was supplied to the state department of health under an agreement made under section 5 of this chapter.

SECTION 5. IC 3-7-45-8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 8. The NVRA official shall notify the circuit court clerk or board of registration of each respective county of the names of deceased persons obtained under this chapter.**

SECTION 6. IC 3-7-46-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. **(a)** Not later than the second Tuesday of each month, the department of correction shall provide the NVRA official with a list identifying each person who:

- (1) is a resident of Indiana;
- (2) has been convicted of a crime; and
- (3) has been placed in a department of correction facility during the previous month.

**(b) The department of correction shall provide the information required by this section electronically in a format prescribed by the commission.**

SECTION 7. IC 3-10-1-24 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 24. (a) A voter who desires to vote must give the voter's name and political party to the poll clerks of the precinct on primary election day. The poll clerks shall require the voter to write the following on the poll list:

- (1) The voter's name.
- (2) The voter's current residence address.
- (3) The name of the voter's party.

**(b) The poll clerks shall:**

- (1) request the voter to provide the voter's voter identification number;**
- (2) inform the voter what numbers the voter may use as a voter identification number; and**
- (3) explain to the voter that the voter is not required to**

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**provide a voter identification number at the polls.**

(c) If the voter is unable to sign the voter's name, the voter must sign the poll list by mark, which must be witnessed by one (1) of the poll clerks or assistant poll clerks acting under IC 3-6-6, who shall place the poll clerk's or assistant poll clerk's initials after or under the mark.

SECTION 8. IC 3-10-1-31 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 31. (a) The inspector of each precinct shall deliver the bags required by section 30(a) and 30(c) of this chapter in good condition, together with poll lists, tally sheets, and other forms, to the circuit court clerk when making returns.

(b) Except for unused ballots disposed of under IC 3-11-3-31, the circuit court clerk shall carefully preserve the ballots and other material and keep all seals intact for twenty-two (22) months, as required by 42 U.S.C. 1974, after which they may be destroyed unless:

- (1) an order issued under IC 3-12-6-19 or IC 3-12-11-16; or
- (2) 42 U.S.C. 1973;

requires the continued preservation of the ballots or other material.

(c) Upon delivery of the poll lists, the circuit court clerk or board of registration may unseal the envelopes containing the poll lists. For the purposes of:

- (1) a cancellation of registration conducted under IC 3-7-43 through IC 3-7-46; or
- (2) a transfer of registration conducted under IC 3-7-39, IC 3-7-40, or IC 3-7-42;

the clerk or board may inspect the poll lists and update the registration record of the county. **The clerk or board shall use the poll lists to update the registration record to include the voter's voter identification number if the voter identification number is not already included in the registration record.** Upon completion of the inspection, the poll list shall be resealed and preserved with the ballots and other materials for the time period prescribed by subsection (b).

(d) After the expiration of the period described in subsection (b), the ballots may be destroyed in the manner provided by IC 3-11-3-31 or transferred to a state educational institution as provided by IC 3-12-2-12.

SECTION 9. IC 3-11-3-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 18. (a) At the extreme top of a poll list sheet the heading "VOTERS POLL LIST" should appear, followed by the following information:

- (1) The type of election.
- (2) The date of the election.
- (3) The name of the precinct, township (or ward), and county.



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(b) Following the information required in subsection (a), the following headings should appear from left to right on each sheet:

- (1) "Signature of Voter".
- (2) "Address of Voter".
- (3) **"Voter Identification Number (Optional)".**
- (4) "If any voter shows his or her ballot after being marked, or by accident mutilates or defaces his or her ballot, note it in this column. Also note any other irregularity in this column.".

SECTION 10. IC 3-11-8-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 25. (a) After a voter has passed the challengers or has been sworn in, the voter shall be admitted to the polls. Upon entering the polls, the voter shall announce the voter's name to the poll clerks or assistant poll clerks. A poll clerk, an assistant poll clerk, or a member of the precinct election board shall require the voter to ~~sign~~ **write the following** on the poll list:

- (1) The voter's name. ~~and~~
- (2) **The voter's** current **residence** address. ~~of residence.~~

(b) **The poll clerk, an assistant poll clerk, or a member of the precinct election board shall:**

- (1) **request the voter to provide the voter's voter identification number;**
- (2) **inform the voter what numbers the voter may use as a voter identification number; and**
- (3) **explain to the voter that the voter is not required to provide a voter identification number at the polls.**

(c) This subsection does not apply to a precinct in a county with a computerized registration system whose inspector was:

- (1) furnished with a list certified under IC 3-7-29; and
- (2) not furnished with a certified photocopy of the signature on the affidavit of registration of each voter of the precinct for the comparison of signatures under this section.

In case of doubt concerning a voter's identity, the precinct election board shall compare the voter's signature with the signature on the affidavit of registration or any certified copy of the signature provided under IC 3-7-29. If the board determines that the voter's signature is authentic, the voter may then vote. If either poll clerk doubts the voter's identity following comparison of the signatures the poll clerk shall challenge the voter in the manner prescribed by section 21 of this chapter.

~~(c)~~ (d) If, in a precinct governed by subsection ~~(b)~~: (c):

- (1) the poll clerk does not execute a challenger's affidavit; or
- (2) the voter executes a challenged voter's affidavit under section



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22 of this chapter or had executed the affidavit before signing the poll list;  
the voter may then vote.

SECTION 11. IC 3-11-8-26 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 26. **(a)** If a voter:

- (1) cannot sign; or
- (2) is a voter with a disability that makes it difficult for the voter to sign;

the voter's name and address, the poll clerks shall, by proper interrogation, satisfy themselves that the voter is the person the voter represents the voter to be.

**(b)** If satisfied as to the voter's identity **under subsection (a)**, one (1) of the poll clerks shall then place **the following** on the poll list:

- (1)** The **voter's** name. ~~of the voter and~~
- (2)** The voter's current **residence** address. ~~of residence.~~

**(c) The poll clerks shall:**

- (1) request the voter to provide the voter's voter identification number;**
- (2) inform the voter what numbers the voter may use as a voter identification number; and**
- (3) explain to the voter that the voter is not required to provide a voter identification number at the polls.**

**(d)** The poll clerk shall then add the clerk's initials in parentheses, after or under the signature. The voter then may vote.

SECTION 12. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2001]: IC 3-7-22-7; IC 3-7-31-6."

Delete pages 12 through 22.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1510 as introduced.)

KROMKOWSKI, Chair

Committee Vote: yeas 13, nays 0.



## COMMITTEE REPORT

Mr. President: The Senate Committee on Legislative Apportionment and Elections, to which was referred House Bill No. 1510, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 23.

Page 2, delete lines 31 through 41.

Page 4, delete lines 7 through 42.

Delete pages 5 through 6.

Page 7, delete lines 1 through 2.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1510 as printed February 22, 2001.)

LANDSKE, Chairperson

Committee Vote: Yeas 7, Nays 0.

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